

Dated: February 8, 2018



Eddward P. Ballinger Jr., Bankruptcy Judge

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Attorneys for HSBC Bank USA, National Association, as Trustee for Deutsche ALT-A Securities Mortgage Loan Trust, Series 2007-1, its assignees and/or successors, by and through its servicing agent MidFirst Bank

UNITED STATES BANKRUPTCY COURT  
 FOR THE DISTRICT OF ARIZONA  
 PHOENIX DIVISION

In re:	)	Case No. 2:17-bk-04317-EPB
Cathleen Ann Peterson aka Cathy Peterson and	)	Chapter 13
Thomas James McIntosh aka Tom McIntosh,	)	
Debtors	)	<b>EX PARTE ORDER TERMINATING</b>
	)	<b>AUTOMATIC STAY AFTER DEFAULT</b>
HSBC Bank USA, National Association, as	)	<b>UNDER ORDER APPROVING</b>
Trustee for Deutsche ALT-A Securities	)	<b>ADEQUATE PROTECTION</b>
Mortgage Loan Trust, Series 2007-1, its	)	<b>STIPULATION</b>
assignees and/or successors, by and through its	)	
servicing agent MidFirst Bank,	)	
Movant,	)	
v.	)	
Cathleen Ann Peterson and Thomas James	)	
McIntosh, Debtors; and Edward J. Maney,	)	
Chapter 13 Trustee,	)	
Respondents.	)	

HSBC Bank USA, National Association, as Trustee for Deutsche ALT-A Securities Mortgage Loan Trust, Series 2007-1, its assignees and/or successors, by and through its

1 servicing agent MidFirst Bank (“Movant”), having filed a *Motion for Relief from the Automatic*  
2 *Stay*, found at Docket No. 14, with respect to the hereinafter-described property, and thereafter  
3 having filed an *Adequate Protection Stipulation*, found at Docket No. 28, with Cathleen Ann  
4 Peterson and Thomas James McIntosh (“Debtors”) which was later approved by the Court with  
5 an *Order Approving Adequate Protection Stipulation*, found at Docket No. 31, with respect to  
6 the hereinafter-described property. After providing Debtors with notice of a default, which was  
7 not timely cured and with good cause appearing,

8 **IT IS THEREFORE ORDERED** that:

9 Any and all stays against lien enforcement, including the automatic stay of 11 U.S.C. §  
10 362(a) and the automatic injunction of 11 U.S.C. § 524(a), are hereby vacated with respect to  
11 the property generally described as 1335 West Highland Street, Chandler, AZ 85224, and  
12 Movant, its assignees and/or successors in interest, may enforce remedies pursuant to state law  
13 and contractual documents.

14 **IT IS FURTHER ORDERED** that:

15 Movant’s claim is no longer treated pursuant to 1322(b)(5) and thus, Fed. Rule Bank. P.  
16 3002.1 no longer applies in the instant case.

17 **IT IS FURTHER ORDERED** that:

18 The Moving Party, at its option, may offer, provide and enter into any potential  
19 forbearance agreement, loan modification, refinance agreement or other loan workout/loss  
20 mitigation agreement as allowed by state law. The Movant may contact the Debtors via  
21 telephone or written correspondence to offer such an agreement. Any such agreement shall be  
22 non-recourse.  
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24 ORDER SIGNED AND DATED ON PAGE ONE

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